

**ORDINANCE NO. 2022-\_\_**

**AN ORDINANCE TO RE-CLASSIFY REAL PROPERTY LOCATED AT THE SOUTHEAST CORNER OF U.S. HIGHWAY 52 AND SHINE LANE, TMS 142-00-01-021, FROM C-2, GENERAL COMMERCIAL, TO R-3, SINGLE FAMILY ATTACHED RESIDENTIAL WITH CONDITIONS, AND TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF MONCKS CORNER TO SO REFLECT**

**WHEREAS**, a request has been presented to the Moncks Corner Town Council by the current record titleholder of property located at the southeast corner of U.S. Highway 52 and Shine Lane, TMS # 142-00-01-021, to re-classify the property from C-2, General Commercial, to R-3, Single Family Attached Residential with conditions; and

**WHEREAS**, it is necessary and desirable to reclassify said properties to R-3, Single Family Attached Residential with conditions; and

**WHEREAS**, the Moncks Corner Planning Commission, during a meeting held on July 26, 2022, recommended to the Moncks Corner Town Council to classify said property to the appropriate zoning classification of R-3, Single Family Attached Residential with conditions; and

**WHEREAS**, the conditions to be placed upon these three parcels are described as follows:

1. Only townhomes shall be permitted on the property. No apartments or other multi-family construction shall be permitted.
2. Density will be capped at 5.3 units per acre, or 55 units.
3. Additional parking beyond the required two spaces per unit shall be provided at approximately one space for each three units.
4. Provide median plantings along Highway 52 between Shine Lane and the Railroad overpass.
5. Units shall feature a variety of exterior colors from a palette approved by the Zoning Administrator. No color will be repeated in any single multi-unit structure without permission of the Zoning Administrator.
6. Units shall feature a variety of exterior materials and/or material orientations. At least one unit in each three- and four-unit structure shall feature different materials or orientations than the rest of the units, while at least two units of each five- or six-unit structure shall likewise feature different materials or orientations.
7. Primary exterior material shall be cementitious in nature, such as hardiplank. Vinyl may be used for exterior trim and architectural pieces.
8. A fifty-foot buffer will remain between Highway 52 and the residential lots. Likewise, a twenty-foot buffer will be placed along the railroad tracks.

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9. A Homeowner's Association will be established, which will maintain in perpetuity all private roadways, streetlights, sidewalks, and stormwater facilities.
10. The State standard for residential stormwater provision meets the effects of a 10-year storm. The Developer agrees to construct this system to a 25-year storm, increasing drainage capacity.
11. Trees in the interior of the development shall be placed between multi-unit structures.
12. Progress shall be evaluated on an annual basis by the Zoning Administrator. If reasonable steps towards completion of the project have not been made after two years, the Zoning Administrator reserves the right to begin proceedings to rezone the property to a zone compatible with the area.

Timeline benchmarks include the following:

- a. Two Years: Engineering complete
  - b. Three Years: Land clearing and infrastructure underway
  - c. Four years: Residential construction begins
13. These conditions may be modified in the future by the Zoning Administrator if such amendments are considered by the Zoning Administrator to be minor in nature, in the manner of minor amendments to planned developments.

**NOW, THEREFORE, BE IT ORDAINED** and ordered by the Mayor and Town Council of the Town of Moncks Corner, South Carolina, in Council duly assembled on this 18<sup>th</sup> day of October, 2022, that the Zoning Classification pertaining to TMS # 142-00-01-021 be hereby re-classified from its current zoning of C-2, General Commercial to R-3, Single Family Attached Residential with conditions; and

**BE IT FURTHER ORDAINED** that the official zoning map of the Town of Moncks Corner be, and the same hereby is, amended to so reflect.

**ORDINANCE NO. 2022-\_\_ CONTINUED:**

**DONE IN COUNCIL ASSEMBLED this 18<sup>th</sup> day of October 2022.**

First Reading: August 16, 2022

Second Reading/Public Hearing: October 18, 2022

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Michael A. Locklear, Mayor

Attest:

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Marilyn M. Baker, Clerk to Council

Approved As To Form:

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John S. West, Town Attorney